

In re Application of:

Barry J. Marshall, et al.

Serial No.: 09/977,874

Filed: October 15, 2001

Confirmation No.: Unknown

Title: Composition For The Detection Of Gastrointestinal Disorders

Commissioner for Patents

U.S. Patent and Trademark Office

Washington, DC 20231

Sir:

The following completes the filing of the above-identified patent application under Rule 52, 53, and/or 85:

- ☒ Rule 53 signed Declaration enclosed.
- ☐ This is a Rule 47 filing per attached Petition.
- ☐ Enclosed: Original signed Declaration with attached specification (including claims) which is a copy specification/claims originally filed to secure above filing date.
- ☐ Specification originally filed in non-English language; hence verified translation attached of:
- ☐ Abstract ☐ pages of Specification (only spec. & claims) ☐ Drawing Figs.
- ☐ sheet(s) of formal drawings enclosed: size: ☐ A4 ☐ 14" ☐ 8 1/2 by 11
- ☒ Attached is an assignment to Kimberly-Clark Worldwide, Inc.
- ☐ Priority is hereby claimed under rule 55 and 35 U.S.C. 119 based on prior foreign application(s) no(s). _____, filed in _____ on _____, respectively.
- Certified copy (copies) ☐ attached; ☐ already filed on _____ in U.S. Application, Serial No. _____, filed _____.
- ☐ "Small Entity" status under Rules 9 & 27 claimed. ☐ Attached: Verified Statement(s) establishing "small entity."
- ☒ Attached is the request return copy of the PTO Notice under Rule 52, 53, and/or 85.
- ☒ Attached: Recordation Form Cover Sheet
- ☐ Preliminary Amendment: _____

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED
PER MPEP § 506 AND § 607

If not earlier paid, add Basic Filing Fee	\$ 710.00
Total Effective Claims <u>19</u> - 20 = <u>0</u> x \$18.00 =	\$ 0.00
Independent Claims <u>3</u> - 3 = <u>0</u> x \$84.00 =	\$ 0.00
If <u>any proper</u> multiple dependent claim (ignore improper) is present, add \$280.00	\$ 0.00
Filing Fee	\$ 710.00
Since PTO Notice under Rule 52, 53, and/or 85 set an <u>original</u> due date of <u>January 21, 2002</u> , petition is hereby made for an extension to cover the date this response is filed for which the requisite fee is enclosed (1 month \$110; 2 months \$400; 3 months \$920; 4 months \$1440).	\$ 0.00
If this is the <u>first</u> time either signed Declaration filed or filing fee paid, add Surcharge (\$130)	\$ 130.00
Subtotal	\$ 840.00
If "small entity" status box above is X'd, enter half (1/2) of subtotal & <u>subtract</u>	\$ -
Total	\$ 840.00
If "non-English" box above is X'd, add Rule 17(i) or (k) processing fee \$130.00	\$ -
If "assignment" box is X'd, add recording fee (\$40.00).	\$ 40.00
If "Rule 47" box above is X-d, add Petition fee \$130.00 Rule 17(h).	\$ -
TOTAL FEE ENCLOSED	\$ 880.00

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS:

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Washington, DC 20231, on

January 22, 20 02

Yolande R. Cook

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

FILING COMPLETION UNDER 37 CFR 52, 53, and/or 85

Attention: Application Branch

Date: January 22, 2002

Attorney Docket No.: BAL-106(17349)

Art Unit: Unknown

Our Account No.: 04-1403

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02 FC:101
03 FC:105
2002/5/17/20



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Barry J. Marshall, et al.
Serial No.: 09/977,874

Docket No.: BAL-106 (17349)

Group Art Unit: Unknown

Filed: October 15, 2001

Examiner: Unknown

For: Composition For The Detection Of
Gastrointestinal Disorders

Combined Declaration and Power of Attorney
Original U.S. Patent Application
Joint Inventors

COPY OF PAPERS
ORIGINALLY FILED

Commissioner for Patents
Washington, DC 20231

Sir:

As the below-named inventors, we hereby declare that:

Our respective addresses, post office addresses and citizenship designations are as stated below, next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought in the patent application entitled:

"COMPOSITION FOR THE DETECTION OF GASTROINTESTINAL DISORDERS"

which was filed on October 15, 2001 having U.S. Serial No. 09/977,874.

We hereby state that each of us has reviewed and understands the contents of the specification, including the claims and any accompanying drawings, as amended by any amendment specifically referred to in the oath or declaration.

We acknowledge our duty to disclose all information which is material to the patentability of this application as defined by 37 C.F.R. 1.56.

As the named inventors, we hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected herewith:

Michael J. Bendel, Reg. No. 39605; Patricia A. Charlier, Reg. No. 38840; Thomas J. Connelly, Reg. No. 28404; Gregory E. Croft, Reg. No. 27542; Ralph H. Dean, Reg. No. 41550; Alyssa A. Dudkowski, Reg. No. 40506; Randall W. Fieldhack, Reg. No. 43611; Steven D. Flack, Reg. No. 40608; Thomas M. Gage, Reg. No. 33385; Scott B. Garrison, Reg. No. 39198; Joseph P. Harps, Reg. No. 28854; William D. Herrick, Reg. No. 25468; Kyle K. Kappes, Reg. No. 34846; John P. Kirby, Jr., Reg. No. 25348; Nancy M. Klembus, Reg. No. 40051; Cristos S. Kyriakou, Reg. No. 42776; Nicholas N. Leach, Reg. No. 31776; William W. Letson, Reg. No. 42797; Thomas J. Mielke, Reg. No. 31399; Douglas L. Miller, Reg. No. 30406; Thomas M. Parker, Reg. No. 42063; Sebastian C. Pugilese III, Reg. No. 42091; James B. Robinson, Reg. No. 34912; Karl V. Sidor, Reg. No. 32597; Douglas H. Tulley, Reg. No. 34743; Sue C. Watson, Reg. No. 38,850; Patrick C. Wilson, Reg. No. 31893; and Paul Y. Yee, Reg. No. 29460; Wellington M. Manning, Jr., Reg. No. 22376; Julian W. Dority, Reg. No. 20268; James M. Bagarazzi, Reg. No. 29609; Richard M. Moose, Reg. No. 31226; Stephen E. Bondura, Reg. No. 35070; Timothy A. Cassidy, Reg. No. 38024; Jeffrey M. Karmilovich, Reg. No. 35915; Frances Barnes Elliott, Reg. No. 41598; J. Bennett Mullinax, Reg. No. 36221; John E. Vick, Jr., Reg. No. 33808; Jason W. Johnston, Reg. No. 45675; Tim F. Williams, Reg. No. 47178; Charles R. Ducker, Jr., Reg. No. 46542; Neal P. Pierotti, Reg. No. 45716; and Bernard S. Klosowski, Reg. No. 47,710.

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We hereby declare that:

- 1) All statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and
- 2) These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereof.

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Inventor's Signature

Barry Marshall

Date of Execution of this Document

14-02-2002

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Inventor's Signature

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18 January 2002

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